

Legal profession disappointed by National Partnership Agreement on legal assistance services

The Law Council of Australia has said the National Partnership Agreement on legal assistance services announced yesterday by the Commonwealth Attorney-General is a major disappointment that ignores the Productivity Commission's recommendation for a \$200 million increase in Legal Aid Commission funding.

Law Council Access to Justice Committee Chair Mr Mark Woods said that the fact that this increase would have doubled the Commonwealth's current contribution demonstrates the seriously inadequate current level of funding.

"It is clear that the states and territories did not have a choice but to sign this agreement or face immediate funding shortages that would have crippled legal assistance services, courts and rehabilitation," Mr Woods said.

"The Commonwealth's heavy handed approach has forced the states and territories to accept a level of funding that is grossly inadequate and which will make the criminal justice system worse. It will severely restrict access to justice and increases the risk of injustice.

"The failure to fund civil justice needs means further restriction on the already very limited assistance available. This means that the concerns of all members of the community for victims of crime, particularly family violence, have again been ignored. There is no substitute for effective legal representation being made available to the victims of violent crime. It is fundamental to stopping the cycle of violence. It will inflict untold damage on the community," Mr Woods said.

Over the last decade, the Commonwealth Government's contributions to legal aid have continued to diminish, and are currently at 33 per cent and falling. In real terms, a 50 per cent share of legal aid commission funding would have required an additional \$115 million from the Commonwealth in this year's budget.

"Most of the Commonwealth funding is spent on family law cases. Other areas of Commonwealth civil law responsibility receive no funding at all," Mr Woods said

"Successive Commonwealth governments have treated the importance of equality before the law with contempt. This has got to stop. The Law Council of Australia will launch a national campaign this year to make sure that the Australian public is fully aware of the Commonwealth Government's failure to address the serious crisis in legal aid," Mr Woods concluded.

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